

**MINUTES OF THE COMMON COUNCIL
JUNE 18, 2019**

A meeting of the Common Council of the City of Oneida, NY was held on the eighteenth day of June, 2019 at 6:30 o'clock P.M. in Council Chambers, Oneida Municipal Building, 109 N. Main Street, Oneida, NY.

Meeting was called to order by Mayor Leo Matzke

PRESENT: Councilors Alan Cohen, Michael Bowe, James Coulthart, Helen Acker, James Chamberlain, and Thomas Simchik

ALSO PRESENT: City Attorney Nadine Bell
City Clerk Susan Pulverenti
City Engineer Eric Schuler
Comptroller Lee Ann Wells
Fire Chief Dennis Fields
Police Chief Paul Thompson
Recreation Director Luke Griff
Supervisor Mary Cavanaugh
Supervisor Joe Magliocca

OLD BUSINESS

Councilor Cohen asked the Mayor for an update on the properties that the City is taking for unpaid taxes. The Mayor said that the City Chamberlain is doing the research on the five properties, and then the paperwork will be turned over to the City Attorney. The Mayor said that it will come back to the Council to decide if they want to put them up for auction, sell them outright or whatever the Council decides. The Mayor said that one of the first properties addressed will be the house on the corner of Sands Street and Elizabeth Street. Councilor Cohen said that beautiful old house has been in disrepair for a number of reasons. He said that there are programs that seniors can access to help with the upkeep, and they may not be aware of these programs.

Councilor Acker questioned why the second officer has not been hired in the Police Department when the Council has budgeted that money to do so. The Mayor said that it is the decision of the Public Safety Commissioner, and he doesn't think that we need another officer. Councilor Chamberlain asked the Police Chief his opinion of the need. Chief Thompson said that hiring the second officer would enhance their ability to do more things, including adding more leg patrol, bicycle patrols, etc. He said that they have dedicated an officer to clean the evidence room that houses evidence where it dates back 30 to 40 years. He said that having another officer would also minimize overtime costs with summer coming and vacations. A lengthy discussion ensued that included authority of the Mayor over the Public Safety Commissioner, overtime, comp time, transfers of the money allocated if needed, where unused funds go at end of the year, and the Council's views. Supervisor Magliocca said that the Council shouldn't downplay the role the Mayor has in this situation.

HIRING A POLICE OFFICER AS BUDGETED FOR IN THE 2019 BUDGET

RESOLUTION 19-161

Moved by Councilor Cohen
Seconded by Councilor Acker

WHEREAS, the Police Chief, when presenting his 2019 budget to the Common Council, outlined the need for the hiring of two new Police officers, **and**

WHEREAS, the Common Council in the 2019 Budget allocated funding for the hiring of two Police officers, **and**

WHEREAS, one officer has been hired and the Public Safety Commissioner has not allowed the Police Chief to hire a second officer, **now therefore be it**

RESOLVED, that the Common Council hereby requests that the Public Safety Commissioner reconsider his decision and allow for the hiring and appointment of a second Police officer.

Ayes: 6

Nays: 0

MOTION CARRIED

SUPERVISORS REPORT

Supervisor Mary Cavanaugh explained to the Council about the County's 911 Consolidation Study. She said that the consolidation group discussed the consolidation plan with all three current 911 shifts, hearing their processes, answering questions and then putting out an online survey. She said that this consolidation has been discussed for over a year, including the impact on citizens, County government, and first responders, as well as the lack of local jurisdiction if consolidating with Onondaga County. She said that there are many positives and tons of benefits, including increased response to citizens and enhanced first responder safety. Supervisor Cavanaugh said that a full consolidation would take two to four years. She noted that Madison County answers 90,000 calls yearly, and Onondaga answers over 530,000 calls per year. She said that a public discussion on this topic will be held on June 27, 2019 at 6:30 p.m. at the Chittenango High School. Councilor Bowe questioned the cost, and Supervisor Cavanaugh said the focus has been more on efficiency. Supervisor Magliocca said that a cost savings analysis has not been done at this point. Fire Chief Dennis Fields requested that the Supervisors contact the Police Chief and Fire Chief about this matter, as they are the largest users and have not heard anything from anyone.

Supervisor Magliocca said that the annual Oneida Indian Nation distribution to the City of Oneida is still approximately \$172,000, and discussions are being held about making the City and other communities whole for the additional Nation property acquired since the 2014 agreement.

Moved by Councilor Bowe

Seconded by Councilor Coulthart

RESOLVED, that the minutes of the regular meeting of June 4, 2019 are hereby approved as presented.

Ayes: 6

Nays: 0

MOTION CARRIED

Moved by Councilor Acker

Seconded by Councilor Chamberlain

RESOLVED, that Warrant No. 12 checks and ACH payments in the amount of \$335,898.13, as audited by the Voucher Committee, is hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 6

Nays: 0

MOTION CARRIED

Moved by Councilor Cohen
Seconded by Councilor Simchik

RESOLVED, that checks in the amount of \$11,536.50 (City Attorney) as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller.

Ayes: 5
Nays: 0
Abstain: 1 (Bowe)

MOTION CARRIED

MONTHLY REPORTS

RESOLUTION 19-162

Moved by Councilor Cohen
Seconded by Councilor Chamberlain

RESOLVED, that the monthly reports from the Chamberlain, City Clerk, Comptroller, City Engineer, Fire Department, Recreation Department and Police Department be hereby received and placed on file.

Ayes: 6
Nays: 0

MOTION CARRIED

Councilor Chamberlain gave kudos to the Police Department for how much they do with what they have, noting that there is a ton of paperwork that is required.

Councilor Coulthart complimented both the Police and Fire Department’s staffs for all the excellent work that was done behind the scenes for the Public Safety Day. Councilor Cohen said that multiple volunteer hours were put in by both departments to prepare for this event.

Councilor Coulthart said that the calm hand of organization is showing itself in the office of the City Engineer, who is addressing the issues with limited resources and getting the job done. He asked the City Engineer to give kudos to his department.

Councilor Bowe commented that Police and Fire overtime is down, because there has not been a major event.

Jill Christian Lynch asked why the Planning Department doesn’t have a monthly report and said that the PCZBA minutes are still not on the website. The Mayor said that the Director has been working on submitting/administering many large grants, as well as still working on the Buyout. He said that he meets with the Planning Director on a regular basis. Mayor Matzke said that the last of the houses have been torn down, and the City Engineer will be taking over with the mowing in the Buyout area.

The Mayor said that we are going out of order on the agenda and moving number 9, Kallet Civic Center Agreement, to number 2.

AGREEMENT – GREATER ONEIDA KALLET CIVIC CENTER

RESOLUTION 19-163

Moved by Councilor Bowe
Seconded by Councilor Acker

RESOLVED, that a letter from the Greater Oneida Kallet Civic Center be hereby received and placed on file, approve the fee schedule for the Greater Oneida Kallet Civic Center and further authorize the Mayor to sign an Operation Use Agreement with the Greater Oneida Kallet Civic Center as amended.

Ayes: 6
Nays: 0

MOTION CARRIED

Mayor Matzke said that his biggest concern with the agreement is the exclusivity of the use of the bar. He said that the City is taking over everything except the bar and this contract is just concerning the bar. He said that someone having a wedding may want to use a caterer who wants to provide the alcohol, and by giving the Kallet exclusive rights, it limits the City. Morgan Harrington, GOCC, said that she believes that due to their NYS Liquor license, no other agency or caterer can serve at the bar, but she would check into it. She said that the Kallet is serving at the Center City Market every four weeks. A lengthy discussion resulted that included the bar, the Recreation Department and Comptroller's roles, clarification of use of City employees, the scheduling/calendar of events, rental costs and what is covered by the cost of the rental, as well as, amendments to the agreement as per the Council. City Attorney Nadine Bell said that she would make the amendments to the agreement as requested by the Council.

The original motion to open discussion was made by Councilor Acker and seconded by Councilor Simchik.

CAPITAL PROJECT 19-13 – ROV TANK CLEANING

RESOLUTION 19-164

Moved by Councilor Chamberlain
Seconded by Councilor Simchik

RESOLVED, to authorize the City Engineer to proceed with Capital Project 19-13 ROV Tank Cleaning, authorize the City Engineer to expend funds up to the programmed amount, and further authorize the Mayor to sign any documents relating to said Capital Project 19-13.

Ayes: 6
Nays: 0

MOTION CARRIED

GRANT APPLICATION – UPSTATE REVITALIZATION INITIATIVE

RESOLUTION 19-165

Moved by Councilor Acker
Seconded by Councilor Coulthart

RESOLVED, to authorize the City Engineer and Planning Director to submit a grant application for the Upstate Revitalization Initiative (URI).

Ayes: 6
Nays: 0

MOTION CARRIED

FINANCIAL STATEMENTS AS OF DECEMBER 31, 2018

RESOLUTION 19-166

Moved by Councilor Acker
Seconded by Councilor Coulthart

RESOLVED, that the Financial Statements as of December 31, 2018 together with the Independent Auditors Report from Bonadio & Co., LLP, Certified Public Accountants, 432 North Franklin Street #60, Syracuse NY 13204 be hereby received and placed on file.

Ayes: 6
Nays: 0

MOTION CARRIED

ESTABLISH BASE RATE FOR SEWER MAINTENANCE WORKER

RESOLUTION 19-167

Moved by Councilor Cohen
Seconded by Councilor Bowe

WHEREAS, on June 3, 2019, the Civil Service Commission approved the title and base rate for the budgeted position of Sewer Maintenance Worker to match the base rate of the same position of Water Maintenance Worker in the Water Department; **now therefore be it**

RESOLVED, that the Common Council hereby approves the base rate of \$21.17 for the budgeted position of Sewer Maintenance Worker at the Waste Water Treatment Plant, as approved by the Civil Service Commission on June 3, 2019.

Ayes: 6
Nays: 0

MOTION CARRIED

The Comptroller said that this is a budgeted position, and a base rate had not been set.

BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 19-168

Moved by Councilor Acker
Seconded by Councilor Bowe

RESOLVED, that the budget transfers/amendments be hereby approved:

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
\$8,000.00	002.8300.0436.0000 Water Contingency	005.8300.0401.0019 Capital Project 19-13	

(To allocate funds to Capital Project 19-13 Professional Services Agmt for cleaning water storage tanks)

\$1,050.00	001.0017.1520.0000	001.3120.0300.0000	\$550.00
	Police Revenue	Police Materials & Supplies	
		001.3120.0102.0000	\$500.00
		Police Overtime	

(To re-allocate funds received for special programs to Children's games, a new patrol bike and to distribute information on alcoholism)

\$4,250.00	001.0001.00912.0000	001.1315.0403.00
	General Fund Balance	City Audit

(To allocate funds to cover a State Single Audit required due to the amount of State Funding received in 2018)

Ayes: 6

Nays: 0

MOTION CARRIED

ENGAGEMENT LETTER FOR SINGLE STATE AUDIT

RESOLUTION 19-169

Moved by Councilor Chamberlain

Seconded by Councilor Acker

RESOLVED, that the Mayor be authorized to sign a letter of engagement with Bonadio & Co., LLC Certified Public Accountants, 432 North Franklin Street #60, Syracuse NY 13204 for a State Single Audit, as required by the New York State Comptroller's Office due to the amount of State funding received by the City in 2018 in an amount not to exceed \$4,250.

Ayes: 6

Nays: 0

MOTION CARRIED

NEW BUSINESS

Melisa Mannix, 341 Stone Street, Oneida said that at the last meeting she asked where the City was with allowing the harboring of chickens in the inside district, and the Deputy Mayor told her to bring in a petition with those in favor. She presented a petition with 107 signatures in favor of allowing chickens in the inside district, noting that only 12 people she asked were against it or wanted further information. The Mayor said that we will revisit this, but it can take a couple of months. Councilor Coulthart asked why Ms. Mannix received a citation for having chickens, and she said that her neighbor was ticketed for dog-at-large, and the neighbor complained she had chickens. Council Cohen said that he received about 50% of "okay" responses for harboring chickens in the inside district with the other 50% concerned about their property values, etc. Councilor Bowe said that the Council has to look at everything when changing an ordinance, adding that a public hearing will be required.

PETITIONS IN FAVOR OF HARBORING CHICKENS IN THE INSIDE DISTRICT

RESOLUTION 19-170

Moved by Councilor Coulthart

Seconded by Councilor Acker

RESOLVED, that petitions in support of changing the Ordinance to allow residents of Oneida to own up to six hens with no roosters in an appropriately sized yard, while observing humane animal husbandry practices.

Ayes: 6

Nays: 0

MOTION CARRIED

Jill Christian Lynch said that during her research she found that as of this year, New York State requires that all Environmental Impact Statements be posted on the City website and questioned why she did not see the Environmental Impact Forms for 409 Genesee Street on the website. She said that she has been submitting her daily FOIL requests relating to 409 Genesee Street, but the paperwork she is receiving seems scarce. She said that the City Clerk told her it would be thirty days before any sewer/water info was available. The City Engineer said that they are cataloging and reorganizing their files, and he is not sure when that will be done to search for the documents she has requested.

James Cheseboro, 306 Almond Street said that he is concerned about the juveniles running wild all night long on his street and wants to know what is being done. He said that young kids are coming up on his porch at 1:00 a.m. Police Chief Thompson said that the Juvenile Aid Officer is currently working on this issue specifically and Child Protective Services has gotten involved, but it is largely a parental issue. The Chief said that he agrees that 12 and 13 year olds should not be on the street at that hour. He said that the Police are working on this, and it is on their radar.

Motion to adjourn by Councilor Chamberlain

The regular meeting is hereby adjourned at 8:50 p.m.

CITY OF ONEIDA, NEW YORK

Susan Pulverenti, City Clerk